

REMARKS

In the Office Action the Examiner rejected claim 11 under 35 U.S.C. § 103 as being invalid for obviousness. The Examiner has recited four prior art references that, taken in various combinations, are said to render Applicant's invention invalid for being obvious.

The Examiner has rejected claim 11 as being unpatentable over Holder (4,953,603) in view of Hills (3,857,142). Holden is said to disclose a device comprising a grasp ring, and an elongate member having two opposing and releasably joined strands. Hills is said to teach a first strand having an arcuate seating channel to firmly contain the second strand. The Examiner notes that claim 11 recites the functional limitations of the device for using in the button and zipper handle, and notes that a recitation of the intended use must result in a structural difference between the claimed invention and the prior art.

The Examiner also rejects claim 11 as being unpatentable over either Ring Zipper Pull Snap Hook (item No. K9807), distributed by Sammons Preston Company; or Zip-It Zipper Pull, distributed by Wring Stuff and Sammons Preston Company. Although both of these devices are said to show a commercially available zipper puller comprising a grasp ring and an elongated tapered member having two opposing strands, neither one teaches a first strand having a seating channel and an arcuate surface. According to the Examiner, however, Hills does teach a first strand having a seating channel and an arcuate surface, and it would have been obvious to a person of ordinary skill in the art to combine Hill with either of the other two references.

Neither Holder nor Hills, nor either of the other cited references, teaches claim 11's limitation of, "an elongated portion being tapered toward the end opposite said grasping ring . . ." Holder discloses a "spring or snap fastener" having a grasping ring, but Holder does not disclose "an elongated portion being tapered toward the end opposite said grasping ring." This is an

important limitation, as it permits the buttonhook to be used in small-slit buttonholes. By contrast, the elongate strands of Holder are separated by a constant width until they terminate in an arc having a constant radius. This configuration teaches away from the invention, which is described in the specification as:

"When the device is used in a smaller-sized buttonhole, the tapered end is inserted and moved in the direction of the button. As the device moves toward the button, the distance between the tapered strands widen to approach the maximum slit length of the buttonhole. . . . It will then be possible to loop the extreme end of the device around the button to be pulled through the buttonhole, either by squeezing the strands to cause them to open and form a hook that can be looped around the button, or simply by slipping the end of the device over the button. In either case, the button may then be pulled back through the buttonhole."

Similarly, none of the cited prior art discloses claim 11's limitation of, "said terminus of said first strand being releasably held within said seating channel of said second strand against tension applied by said grasping ring such that, when said grasping ring is in a state of tension said first and second strands are releasably joined and said elongated portion forms a continuous loop" Both the Ring Zipper Pull Snap Hook, and the Zip-It Zipper Pull comprise two-piece devices in which the releasable strands are integral to a separate structure that is detached from – or, at least, not rigidly attached to - the grasping ring. Further distinguishing those devices is the fact that the releasable strands can be released only by squeezing the smaller end of the device. Similarly, although both Holder and Hills disclose releasable strands that are rigidly attached to the grasping ring, neither one permits the releasable strands to become released by squeezing upon the grasping ring. Rather, in both references, the releasable strands can be released only by squeezing the narrow end of the device.

The configuration claimed in claim 11 permits the releasable strands to be separated or joined by exerting pressure upon the grasping ring, which is the largest portion of the structure and, presumably, the easiest to grasp. The claimed limitations are not present in any of the cited

prior art, and would not be obvious to a person or ordinary skill having those references before him. The device claimed in claim 11 is not disclosed by the prior art references, either alone or taken in combination.

Applicant respectfully traverses the rejections, and requests the Examiner to reconsider and withdraw them, and to issue a Notice of Allowance.

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Respectfully submitted,

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